

DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled USE OF SELECTIVE LABELING TO DETECT AND CHARACTERIZE MOLECULAR INTERACTIONS BY NUCLEAR MAGNETIC RESONANCE SPECTROSCOPY; the specification of which was filed on **October 15, 2003** as Application Serial No. **10/686,192**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application listed below.

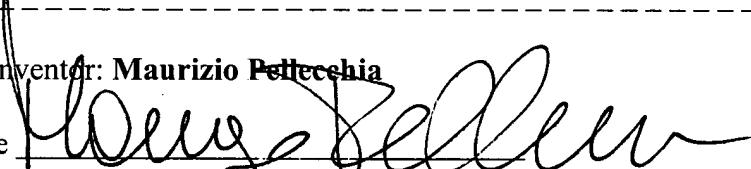
Application No.: 60/422,638

Filing Date: October 29, 2002

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: **Maurizio Pellecchia**

Inventor's signature



Date Feb. 11, 2004

Residence: **4386 Campus Avenue, San Diego, California 92103**

Citizenship: **Italian**

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


 Applicant : Pellecchia, Maurizio)
 App. No. : 10/686,192)
 Filed : October 15, 2003)
 For : USE OF SELECTIVE LABELING TO)
 DETECT AND CHARACTERIZE)
 MOLECULAR INTERACTIONS BY)
 NUCLEAR MAGNETIC)
 RESONANCE SPECTROSCOPY)
 Examiner : Not Assigned)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040

App. No. : 10/686,192
Filed : October 15, 2003

Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor and his attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

THE BURNHAM INSTITUTE

Dated: 2/12/2004

By: 

John M. Campbell
Director of Intellectual Property
10901 North Torrey Pines Road
La Jolla, California 92037

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DO NOT RECORD
ASSIGNMENT

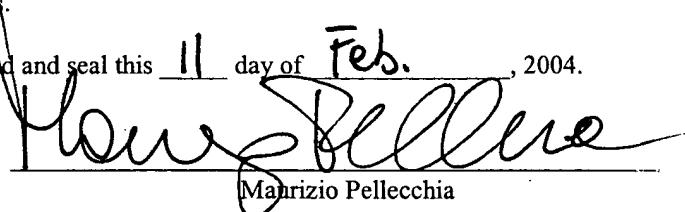
WHEREAS, I, Maurizio Pellecchia, an Italian citizen, residing at 4386 Campus Avenue, San Diego, California 92103, have invented certain new and useful improvements in USE OF SELECTIVE LABELING TO DETECT AND CHARACTERIZE MOLECULAR INTERACTIONS BY NUCLEAR MAGNETIC RESONANCE SPECTROSCOPY for which I have filed an application for Letters Patent in the United States, Application No. 10/686,192, filed October 15, 2003;

AND WHEREAS, The Burnham Institute (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 10901 North Torrey Pines Road, La Jolla, California 92037, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said inventor, do hereby acknowledge that I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 11 day of Feb., 2004.


Maurizio Pellecchia

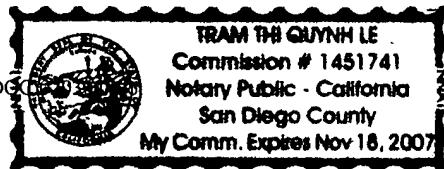
STATE OF California }
COUNTY OF San Diego } ss.

On Feb 11, 2004, before me, Tram Thi Quynh Le, personally appeared Maurizio Pellecchia personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

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Tram Thi Quynh Le

Notary Signature